

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

JAMES OSCAR KELLY,

Plaintiff,

v.

LISA ALLEN,

Defendant.

No.: 2:19-CV-009-TWP-MCLC

ORDER

In accordance with the accompanying memorandum opinion, Plaintiff's motion for status [Doc. 9] is **GRANTED** to the extent that the Court will enter the memorandum opinion and this order and this pro se prisoner's civil rights action, filed pursuant to 42 U.S.C. §1983, is **DISMISSED** for failure to state a claim upon which relief may be granted under § 1983 pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915(A). Because the Court has **CERTIFIED** in the memorandum opinion that any appeal from this order would not be taken in good faith, should Plaintiff file a notice of appeal, he is **DENIED** leave to appeal *in forma pauperis*. See 28 U.S.C. § 1915(a)(3); Fed. R. App. P. 24.

The Clerk is **DIRECTED** to close the file.

SO ORDERED.

E N T E R:

s/ Thomas W. Phillips

SENIOR UNITED STATES DISTRICT JUDGE

ENTERED AS A JUDGMENT

s/ John L. Medearis
CLERK OF COURT